

Michigan Department of Civil Service

REGULATION

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| Appointing Authority Letter Reference: CS-6897 | Effective Date: April 25, 1999, <u>August 20, 2000</u> | Index Reference: Establishment, <u>Reclassification</u> Reallocation on , Preauthorized, Effective Date | Regulation Number: 4.04 |
| Issuing Bureau: Human Resource Services | Rule Reference: Rules <u>1-3</u> , 4-1.5, 4-1.6 , and 4-2.1c | | Replaces: Reg. 4.04 (CS-6829, April 20, 1997) <u>April 25, 1999</u> |
| Subject: EFFECTIVE DATES FOR CLASSIFICATION ACTIONS | | | |

AUTHORITY

The Michigan Constitution of 1963, Article 11, Section 5, states in part:

~~The commission shall classify all positions in the classified service according to their respective duties and responsibilities, . . . make rules and regulations covering all personnel transactions and regulate all conditions of employment in the classified service.~~

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1. PURPOSE

The purpose of this regulation is to establish the standards and procedures for determining ~~assigning~~ an effective date for all to a position establishment, position reallocation, or any other documents used for processing classification actions.

2. CIVIL SERVICE COMMISSION RULE REFERENCE

Chapter 4 of the Michigan Civil Service Commission Rules provides the basis for the assignment of effective dates for positions in the state's classified service. Civil Service Commission Rules state:

A. 1-3 Regulations. --- The state personnel director is authorized to issue regulations that the director deems to be necessary or useful. A regulation issued by the state personnel director shall be binding on the department of civil service unless the commission finds that the regulation violates a rule. The state personnel director shall make all regulations available to employees through their personnel offices and the internet.

B. Rule 4-1.5 Effective Date of Establishment. — Positions are established and classified ~~allocated~~ on a current basis.

~~**Rule 4-1.6 Regulations.** — The state personnel director shall issue any regulations to implement the provisions of this chapter.~~

C. Rule 4-2.1(c) Effective date of change. Any change in the classification ~~allocation~~ of a position based on a review under this rule is on a current basis, except as otherwise approved by the state personnel director.

3. STANDARDS

A. POSITIONS IN CLASSIFICATIONS THAT REQUIRE CIVIL SERVICE REVIEW ARE NOT PREAUTHORIZED

1. The effective date of an establishment or reclassification ~~reallocation~~ action that is approved by the Department of Civil Service Bureau, for a position in a classification that is not preauthorized, will be the beginning date of the pay period in which a fully documented position action request is received by the department Bureau.
2. A fully documented position action request, submitted by the appointing authority, consists of an up-to-date, completed Position Description (CS-214) form and a properly prepared Position Action Request (CS-129~~F~~) form. If the Position Action Request and the Position Description forms are submitted at different times, the date of the submission for the last form will be used to assign the effective date of the requested action.
3. The effective date assigned to agency-specific senior standards, supervisory complex work standards, and other processing standards developed by the appointing authority and approved by the Department of Civil Service Bureau will be the beginning date of the pay period within which the appointing authority submits the proposed documented standard to when it is received by the department Bureau.
4. The appointing authority must supply all additional information, as requested ~~necessary~~, to render a classification decision, such as an updated organizational chart, evaluation system rating forms, senior standards, etc.
5. For an appointing authority initiated request, failure by the appointing

authority to respond to a request for additional information within 20 workdays (30 workdays for positions requiring agency evaluation on a classification subsystem rating system) may result in the issuance of a "No Action" on the initial request and classification review. A new Position Action Request form and Position Description will be required, and the effective date of any subsequent action will be the beginning date of the pay period within which ~~this~~ the resubmitted position action request is received. If there is sufficient documentation to make a classification determination without the provision of the additional requested information, particularly with employee generated review requests, the Department of Civil Service Bureau may issue a classification decision without the appointing authority's information.

B. POSITIONS IN PREAUTHORIZED CLASSIFICATIONS

1. The appointing authority ~~must~~ shall assign ~~an~~ as the effective date ~~consistent with~~ the beginning date of the pay period in which ~~the appointing authority processes~~ the preauthorized ~~reallocation~~ reclassification ~~or establishment is processed.~~ ~~The effective date assigned to an approved~~ ~~reallocation~~ reclassification ~~action, for a position in a preauthorized classification that is submitted to the~~ Department of Civil Service Bureau ~~for review, will be the beginning date of the pay period within which it is received,~~ except as provided in Section C, Standard 1, below. This will be subject to Department of Civil Service Audit.
2. The appointing authority may not process a preauthorized ~~reallocation~~ reclassification earlier than 26 pay periods after the ~~employee's incumbent's~~ appointment to the position or last ~~reclassification~~ reallocation, whichever occurred last. ~~, except as provided in Section C, Standard 1, below.~~

C. RETROACTIVE EFFECTIVE DATES

1. ~~Personnel office delays will be considered as reasonable justification for a retroactive effective date only when the reallocation is in a preauthorized classification from the entry/trainee level to the intermediate level, the intermediate level to the experienced level, or the experienced level to the advanced level. In such cases, retroactivity may be granted for up to a maximum of 26 pay periods preceding the current effective date.~~ Departmental ~~delays will be considered as reasonable justification for retroactive effective date only when the reclassification is from one level to another level within an entry/intermediate/experienced~~ classification ~~or from an experienced level to a related advanced~~ classification. In such cases, retroactivity may be granted for up to a maximum of 26 pay periods preceding the current effective date.

2. The ~~Department of Civil Service~~Bureau may grant retroactivity of up to a maximum of seven pay periods preceding the current effective date of a position action when reasonable justification is demonstrated for ~~nonpreauthorizable~~ position actions above the advanced level.
3. Special extenuating circumstances may provide a basis for retroactivity beyond the seven pay periods for ~~nonpreauthorizable~~ positions above the advanced level. Special extenuating circumstances, as determined by the Department of Civil Service, may include:
 - (a) ~~Any inappropriate intentional or fraudulent~~ action by the agency appointing authority that precludes the ~~incumbent employee~~ from filing a position review request directly with the Department of Civil Service.
 - (b) The ~~incumbent employee~~ was incapacitated or incapable of filing a request for a position review.
 - (c) Other extraordinary circumstances outside the control of the ~~incumbent employee~~.
4. The maximum retroactivity permitted is 26 pay periods ~~one year~~ preceding the current effective date, even with a showing of special extenuating circumstances.

4. PROCEDURES

1. POSITIONS IN ~~CLASSIFICATIONS~~ CLASSIFICATIONS THAT REQUIRE CIVIL SERVICE REVIEW ARE NOT PREAUTHORIZED

Responsibility

Action

Appointing Authority

1. Submits a Position Action Request (CS-129) form and Position Description (CS-214) form to the Bureau.

~~Department of Civil Service~~Bureau

2. Reviews the request and documents decision.

~~Bureau~~ (Cont.)

3. Enters the necessary approved information in the ~~Personnel Payroll Reporting Information System of Michigan (PPRISM)~~ Human Resources Management Network (HRMN).

4. Releases the Position Action ~~Request~~Response (CS-129A) form to the appointing authority.

If disapproved, documents the reasons on the Position Action ~~Request~~~~Response~~ form and informs ~~incumbent~~~~employee~~ of the classification action and appeal rights.

Appointing Authority

5. Receives the completed Position Action ~~Request~~~~Response~~ form and ~~matches~~
~~verifies~~ the information in ~~PPRISM~~ the HRMN.

~~6. Informs agency management.~~

2. POSITIONS IN PREAUTHORIZED CLASSIFICATIONS

Responsibility

Action

Agency Management

1. Submits a Position Description and a request to the appointing authority for a classification review.
2. ~~For a position reallocation,~~ ~~C~~certifies to the appointing authority that the ~~incumbent~~
~~employee~~ is satisfactorily performing the higher-level duties and meets the ~~classification's~~ classification's ~~minimum~~ requirements.

Appointing Authority

3. Reviews the request and documents the decision.
4. Enters the necessary approved information in ~~PPRISM~~ the HRMN.

~~5. Informs agency management.~~

3. REQUESTS FOR RETROACTIVE EFFECTIVE DATES

Responsibility

Appointing Authority

Department of Civil Service~~Bureau~~

Appointing Authority

Action

1. For reclassifications at the advanced level or above, Ssubmits a Position Action Request and Position Description with rationale for a retroactive ~~reallocation~~ reclassification effective date. Agencies may independently process actions to recover retroactive effective dates on positions in preauthorized classifications (see Regulation 4.02).
2. Reviews the requested retroactive effective date and documents decision.
3. Enters the necessary approved information in ~~PPRISM~~ the HRMN.
4. Releases the Position Action ~~Request~~Response form to the appointing authority.

If disapproved, documents the reasons on the Position Action ~~Request~~Response form and informs ~~incumbent~~ employee of the classification action and appeal rights.
5. Receives the completed Position Action ~~Request~~Response form and ~~matches~~ verifies the information in ~~PPRISM~~ the HRMN.
- ~~6. Informs agency management.~~

CONTACT

Questions regarding this regulation should be directed to the ~~Bureau of Human Resource Services~~, Department of Civil Service, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909, (517) 373-3048 or 1-800-788-1766, or MDCS@state.mi.us.

NOTE: Regulations are issued by the State Personnel Director under authority

~~October 4, 1998~~ ~~April 25,~~
~~1999~~ August 20, 2000

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granted in the State of Michigan *Constitution* and the *Michigan Civil Service Commission Rules*. Regulations that implement Commission Rules are subordinate to those Rules.